

(3) Be kept separate from other medical record documents, with access limited to the SOMD and the Designated Physician.

PART 715—DEFINITION OF NON-RECOURSE PROJECT-FINANCED

Sec.

715.1 Purpose and scope.

715.2 Definitions.

715.3 Definition of “Nonrecourse Project-Financed.”

AUTHORITY: 42 U.S.C. 7651o(a)(2)(B); 42 U.S.C. 7254.

SOURCE: 56 FR 55064, Oct. 24, 1991, unless otherwise noted.

§ 715.1 Purpose and scope.

This part sets forth the definition of “nonrecourse project-financed” as that term is used to define “new independent power production facility,” in section 416(a)(2)(B) of the Clean Air Act Amendments of 1990, 42 U.S.C. 7651o(a)(2)(B). This definition is for purposes of section 416(a)(2)(B) only. It is not intended to alter or impact the tax treatment of any facility or facility owner under the Internal Revenue Code and regulations.

§ 715.2 Definitions.

As used in this subpart—

Act means the Clean Air Act Amendments of 1990, 104 Stat. 2399.

Facility means a “new independent power production facility” as that term is used in the Act, 42 U.S.C. 7651o(a)(2).

§ 715.3 Definition of “Nonrecourse Project-Financed”.

Nonrecourse project-financed means when being financed by any debt, such debt is secured by the assets financed and the revenues received by the facility being financed including, but not limited to, part or all of the revenues received under one or more agreements for the sale of the electric output from the facility, and which neither an electric utility with a retail service territory, nor a public utility as defined by section 201(e) of the Federal Power Act, as amended, 16 U.S.C. 824(e), if any of its facilities are financed with general credit, is obligated to repay in whole or in part. A commitment to contribute

equity or the contribution of equity to a facility by an electric utility shall not be considered an obligation of such utility to repay the debt of a facility. The existence of limited guarantees, commitments to pay for cost overruns, indemnity provisions, or other similar undertakings or assurances by the facility’s owners or other project participants will not disqualify a facility from being “nonrecourse project-financed” as long as, at the time of the financing for the facility, the borrower is obligated to make repayment of the term debt from the revenues generated by the facility, rather than from other sources of funds. Projects that are 100 percent equity financed are also considered “nonrecourse project-financed” for purposes of section 416(a)(2)(B).

PART 719—CONTRACTOR LEGAL MANAGEMENT REQUIREMENTS

Subpart A—General Provisions

Sec.

719.1 What is the purpose of this part?

719.2 What are the definitions of terms used in this part?

719.3 What contracts are covered by this part?

719.4 Are law firms that are retained by the Department covered by this part?

719.5 What contracts are not covered by this part?

719.6 Are there any types of legal matters not included in the coverage of this part?

719.7 Is there a procedure for exceptions or deviations from this part?

Subpart B—Legal Management Plan

719.10 What information must be included in the legal management plan?

719.11 Who must submit a legal management plan?

719.12 When must the plan be submitted?

719.13 Who at the Department must receive and review the plan?

719.14 Will the Department notify the contractor concerning the adequacy or inadequacy of the submitted plan?

719.15 What are the requirements for a staffing and resource plan?

719.16 When must the staffing and resource plan be submitted?

719.17 Are there any budgetary requirements?

Subpart C—Engagement Letter

719.20 When must an engagement letter be used?